

REMARKS

Claim 26 has been amended to specify that the rubber is an ethylene-propylene-diene rubber ("EPDM"). Support for the amendment can be found, for example, at page 3, lines 26-27 of the application.

Claim 29 has been amended to specify that the styrenic block copolymer is a styrene-ethylene-butylene-styrene copolymer. Support for this amendment can be found at page 3, line 5 of the application.

New claims 30-39 have been added. The claims relate to a composition including a styrenic block copolymer and a thermoplastic vulcanizate including EPDM in a polyolefin. Support for these claims can be found in the claims as originally filed, page 1, line 27 - page 2, line 2 of the application, and the examples in Table 3. Note that the examples in Table 3 include polymers consisting essentially of the three polymers listed in claims 38 and 39; Uniprene 7100 is a thermoplastic vulcanizate including a fully cross-linked EPDM rubber in polypropylene (a polyolefin) and Kraton G's are styrene-ethylene-butylene-styrene copolymers.

No new matter has been added.

Claims 26-29 were rejected under 35 U.S.C. § 102(a) as being anticipated by Kinoshita et al., U.S. 2001/0053816 ("Kinoshita"). Kinoshita has an effective prior art date of June 7, 2001. The enclosed Declaration of Raman Patel under 37 C.F.R. § 1.131 establishes that the examples in Table 3 of the present application were made and tested well prior to June 7, 2001. These examples were made by procedures covered by claims 26, 28, and 29, and the examples include embodiments of each of claims 30-39. Therefore, Kinoshita does qualify as prior art to the present application and applicants respectfully request that the 35 U.S.C. § 102(a) rejection of claims 26, 28, and 29 based on Kinoshita be withdrawn.

Claims 26, 28, and 29 were rejection under 35 U.S.C. § 102(e) as being anticipated by Okuda, U.S. Pat. 6,410,623 ("Okuda"). Claim 27 was not rejected based on Okuda, presumably because Okuda does not disclose using EPDM. Okuda also does not suggest using EPDM because, for example, the ethylene- α -olefin copolymers disclosed by Okuda are saturated and therefore, unlike EPDM, do not include cross-linkable sites. Claim 26 as amended relates to a

Applicant : Tonya McBride et al.
Serial No. : 10/071,040
Filed : February 8, 2002
Page : 5 of 5

Attorney's Docket No.: 01464-067001 / TPV/SEBC

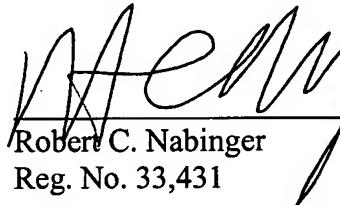
method of making a polymer composition including EPDM. Therefore, applicants request that the 35 U.S.C. § 102(e) rejection of claims 26, 28, and 29 based on Okuda be withdrawn.

Applicants submit that the claims are in condition for allowance and such action is requested.

The undersigned attorney respectfully requests that the Examiner contact him at (617) 521-7841 if in Examiner does not believe this amendment and declaration place the application in condition for allowance.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,



Robert C. Nabinger
Reg. No. 33,431

Date: November 29, 2005

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

21208167.doc